

APPEAL NO. 042125  
FILED OCTOBER 14, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 29, 2004. The hearing officer determined that: (1) the appellant (claimant) sustained a compensable repetitive trauma injury; (2) the date of injury (DOI) is \_\_\_\_\_; and (3) the claimant has had disability from June 14, 2002, through April 15, 2003. The claimant appeals the disability determination on sufficiency of the evidence grounds, asserting that disability continued through the date of the hearing. No response was filed. The hearing officer's injury and DOI determinations were not appealed and have become final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant had disability from June 14, 2002, through April 15, 2003. Whether the claimant had disability from April 15, 2003, through the date of the hearing was a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **THE GRAY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBERT L. WALLACE  
1717 EAST LOOP, SUITE 333  
HOUSTON, TEXAS 77029.**

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Edward Vilano  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Margaret L. Turner  
Appeals Judge